



FARMERS BRANCH

ORDINANCE NUMBER 2997

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, BY GRANTING A SPECIFIC USE PERMIT TO ALLOW INDOOR COMMERCIAL AMUSEMENT FOR 6,100 SQUARE FEET (SUITE 200) WITHIN AN EXISTING 10,000 SQUARE FOOT BUILDING LOCATED ON A 0.88-ACRE TRACT AT 3604 BELTLINE ROAD AND WITHIN THE LIGHT INDUSTRIAL (LI) ZONING DISTRICT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; PROVIDING FOR INJUNCTIVE RELIEF; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Farmers Branch deems it necessary, for the purpose of promoting the health, safety, morals, or general welfare of the City to enact a new zoning ordinance; and

WHEREAS, the City Council has appointed a Planning and Zoning Commission to recommend the boundaries of the various original zoning districts and appropriate regulations be enforced therein and to recommend a new zoning ordinance to amend the Comprehensive Zoning Ordinance; and

WHEREAS, the Planning and Zoning Commission has divided the City into districts and has prepared regulations pertaining to such districts in accordance with a comprehensive plan and designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health, general welfare; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks, and other public requirements; and

WHEREAS, the Planning and Zoning Commission, has given reasonable consideration, among other things, the character of the districts and their peculiar suitability for particular uses, with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City; and

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the City of Farmers Branch City Council, in compliance with the Charter of the City of Farmers Branch, and state law with reference to the granting of changes to the zoning classifications under the Zoning Ordinance Regulations and Zoning Map, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally, and to the persons interested and situated in the affected area and in the vicinity thereof, the City of Farmers Branch City Council is of the opinion that due to a change in condition and in order to protect the public health, welfare and safety, said change in zoning should be made.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS:

SECTION 1. That all matters stated in the preamble are found to be true and correct and are incorporated herein as if copied in their entirety.

SECTION 2. That the Comprehensive Zoning Ordinance of the City of Farmers Branch, Texas, be, and the same is hereby amended, by amending the Zoning Map of the City of Farmers Branch so as to grant a Specific Use Permit to allow indoor commercial amusement for 6,100 square feet, commonly known as Suite 200, within an existing 10,000 square foot building located on a 0.88-acre tract at 3604 Beltline Road within the Light Industrial (LI) zoning district (hereinafter the "Property"), as described in Exhibit "A" and depicted in Exhibit "B," subject to the terms and conditions contained herein.

SECTION 3. That the Property shall conform in operation, location and construction to the development standards specified within the Light Industrial (LI) zoning district and in accordance with the approved site plan attached as Exhibit "C"; the limited uses outlined in the approved plan of operation attached as Exhibit "D."; expressly prohibiting the use of the premises for any other purposes whatsoever except as permitted by right in the Light Industrial zoning district; and under no circumstances allowing a "Sexually Oriented Business" pursuant to Ordinance 2364 or Ordinance 2359. The hours of operation for this Special Use Permit and Suite 200 will commence no earlier than 3PM and conclude no later than 1AM on any day of the week.

SECTION 4. If any section, paragraph, subdivision, clause, phrase or provision of this ordinance shall be judged invalid or unconstitutional, the same shall not affect the validity of this ordinance as a whole or any portion thereof other than that portion so decided to be invalid or unconstitutional.

SECTION 5. That any person, firm or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch and upon conviction shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense.

SECTION 6. In addition to and accumulative of all other penalties, the City shall have the right to seek injunctive relief for any and all violations of this ordinance.

SECTION 7. This ordinance shall take effect immediately from and after its passage as the law in such case provides.

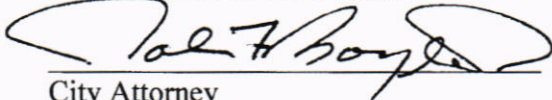
DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, on this the 2nd day of September, 2008.

APPROVED:



Tim O'Hare, Mayor

APPROVED AS TO FORM:



City Attorney

ATTEST:



Cindee Peters, City Secretary

Exhibit A- Platted Survey- Lot 1, Block 7 Brookhaven business Park Phase 2

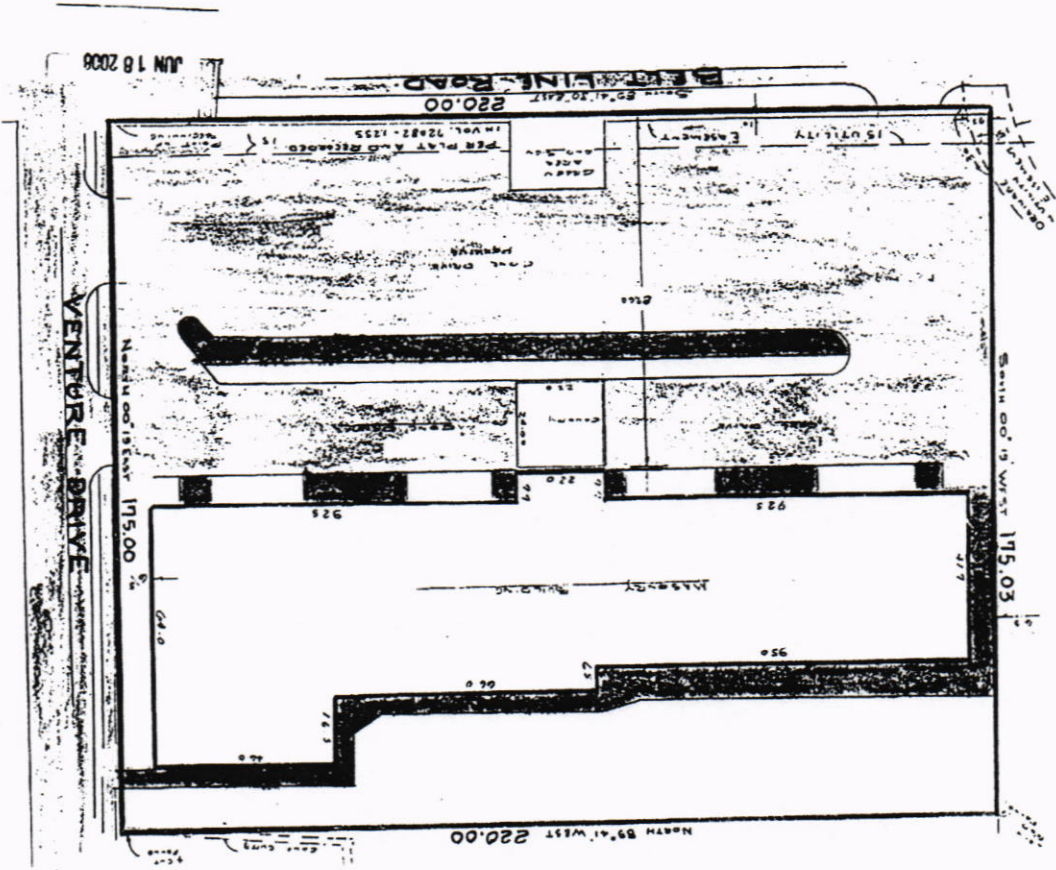


Exhibit B- Floorplan of 3604 Beltline Road – (Suite 200 highlighted and containing approximately 6,100 square feet)

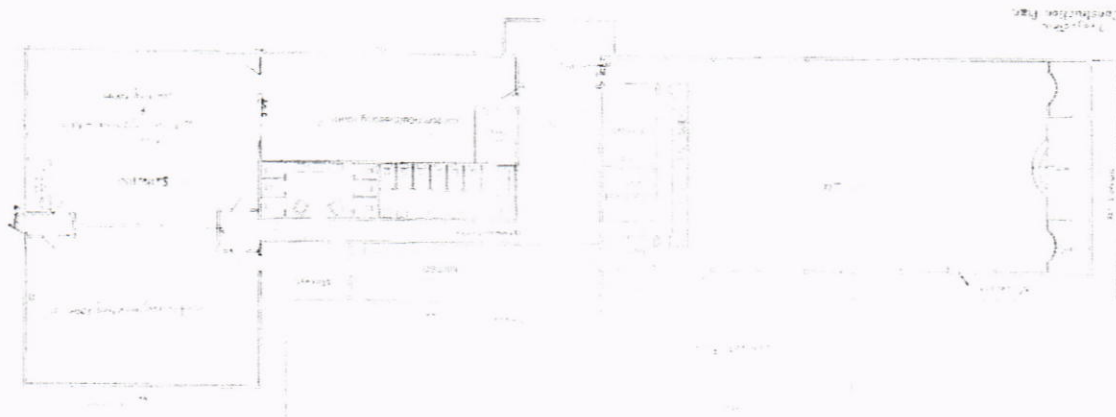


Exhibit C – Site Plan

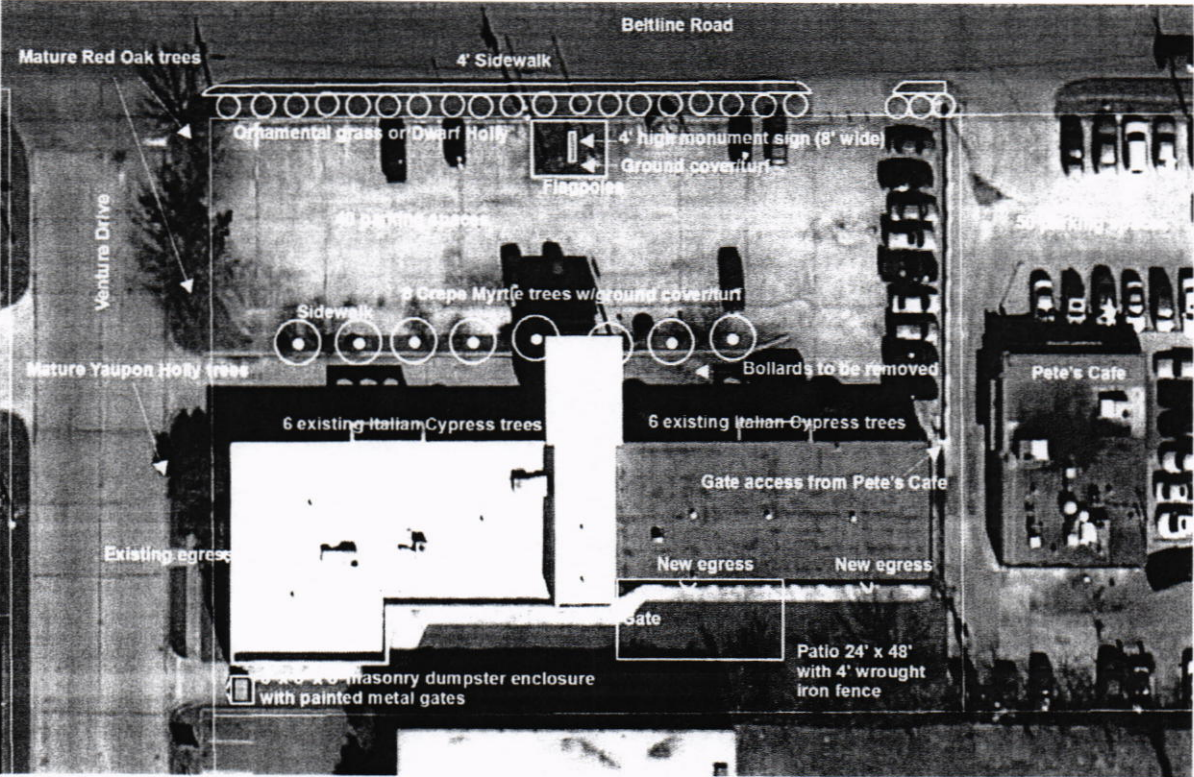


Exhibit D- Plan of Operation

Planning & Zoning Commission of the City of Farmers Branch

APPLICATION for SPECIFIC USE PERMIT

PLAN OF OPERATION

Proposed Use: A Special Event Center will be placed in Suite 200 area, with a limitation of operation between 3:00 P.M. and 12 A.M., but primarily used from 5:00 P.M until Midnight, on Fridays and Saturday evenings for wedding receptions, Bar Mitzvahs, charitable events and other celebrations. An average attendance is expected of 150 people and a maximum attendance will be set at 321 people.

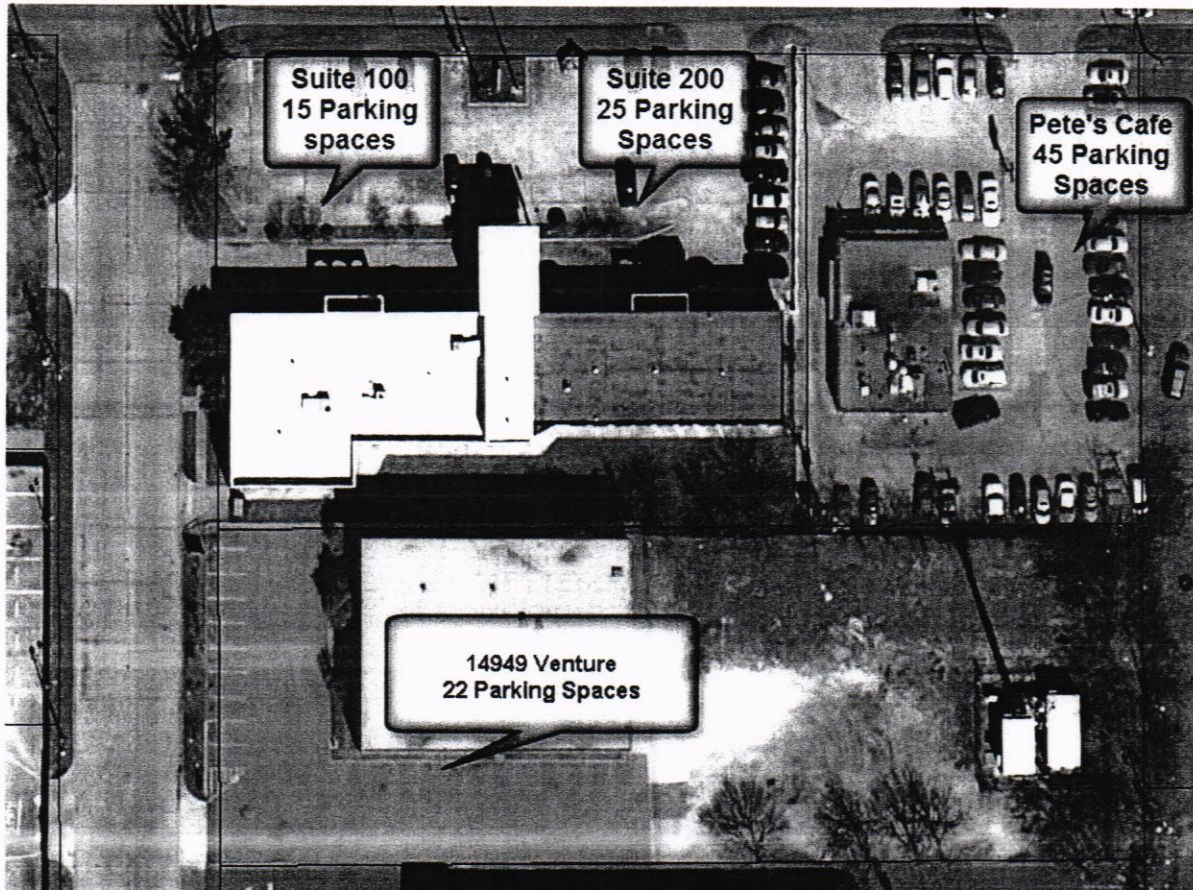
Hours of Operation: Hours of operation of this segment of the building, Suite 200, shall be limited to 3 PM – Midnight daily. The small rooms of the Suite 100 area do not fall under this SUP and will be available during business hours. The intended usage of Suite 100 during daytime hours is expected to be between 15-50 persons.

Storage Outside of Building: None planned.

Activity Outside of Building: A 24' X 48' patio is available behind the east side of Suite 200. It will be surrounded by a wrought iron fence with a 36" gate accessing an existing five foot sidewalk to meet code requirements.

Other relevant unique information on business site: The business south of 3604 Beltline, at 14940 Venture is owned by Mr. Neil Felder of Felder Property Group. His property has 22 marked parking spaces.. We have arranged a mutually satisfactory agreement for the use of an additional of 22 spaces. This will effectively increases our previous parking capabilities from 255 guests to 321.

Proposed Parking Plan



Parking Agreement – Quad Corners/Pete's Café

June 18, 2008

To Whom It May Concern:

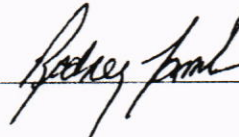
This letter documents a new agreement between the owners of Pete's Café, located at 3610 Belt Line Rd., Farmers Branch, TX 75234, and Quad Corners Investments, Ltd., owner of the contingent property at 3604 Belt Line Rd.


This agreement concerns the mutual need for parking at each location. Pete's Café has need for additional parking during the hours Mon-Sat. from 5 am- 2:30 pm and Sun 6 am- 2:30 pm. Pete's Café is not open in the evenings. Quad Corners Investments is seeking an SUP for an Event Center, which has increased needs for parking in the evenings, primarily Fridays and Saturdays, between 5-7 pm and 11:30 pm. Due to the disparity between our hours of peak operation, we have agreed to allow customers for both properties to share the parking places at both business locations, essentially doubling of our mutual parking capacities to 90-95 spaces.

Since Pete's Café has been in business for over 30 years, on this same schedule of operation, and the owners have operated the Quad Corners site for over 25 years, neither party expects any change in our needs for parking in the foreseeable future, should the City of Farmers Branch approve this SUP.

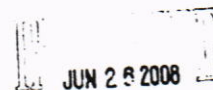
This document concerns a verbal agreement between the respective owners of the two properties, which has been in effect for the past several months. It shall remain effective hereafter, upon the approval of the SUP by the City of Farmers Branch, and the completion of the proposed remodeling of the premises at 3604 Beltline Road for such usage.


Owners, Pete's Café




Robert G. Duchouquette
General Partners, Quad Corners Investments, Ltd.


Bertha R. Duchouquette



Parking Agreement – Quad Corners/Felder Property Group

AUG 8 2008

BUILDING DIVISION
CITY OF BOSTON

August 5, 2008

To Whom It May Concern:

This letter documents a new agreement between the owner of the property at 14940 Venture, Farmers Branch, Mr. Neil Felder of Felder Property Group and the managers of the property at 3604 Beltline Road, Farmers Branch, Quad Corners Investments, Ltd., Robert G. Duchouquette and Bertha R. Duchouquette, General Partners.

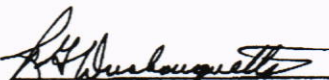
This agreement concerns the mutual need for additional parking at these two properties to enhance the convenience to both sites during their primary operational hours. The primary usage of parking at Mr. Felder's property, which has 22 marked spaces, has been during normal business hours throughout the week. The parking requirements of Quad Corner's location is primarily during the later afternoon and evening hours, mostly on Fridays and Saturdays.

The Beltline property is seeking an SUP to allow special events to be held, such as wedding receptions, banquets, Bar Mitzvahs, charitable events, etc. Parking availability is presently set for a maximum of 255 attendees, whereas the additional parking allowed by this agreement provides for an additional 22 spaces, raising the capacity for attendees to 321 persons per event. This higher maximum allows access to larger groups which may seek to have functions at this location.

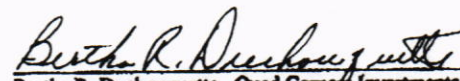
Due to the low usage envisioned for parking during normal business hours at 3604 Beltline and the expected needs of Mr. Felder's future occupants of his currently unoccupied building being unpredictable at this time, the addition of a few more accessible parking places next door may enhance his capability to lease his property to certain prospective clients. The cooperation of this agreement between the owners may pave the way to future plans beneficial to both parties.



Neil Felder, Felder Property Group

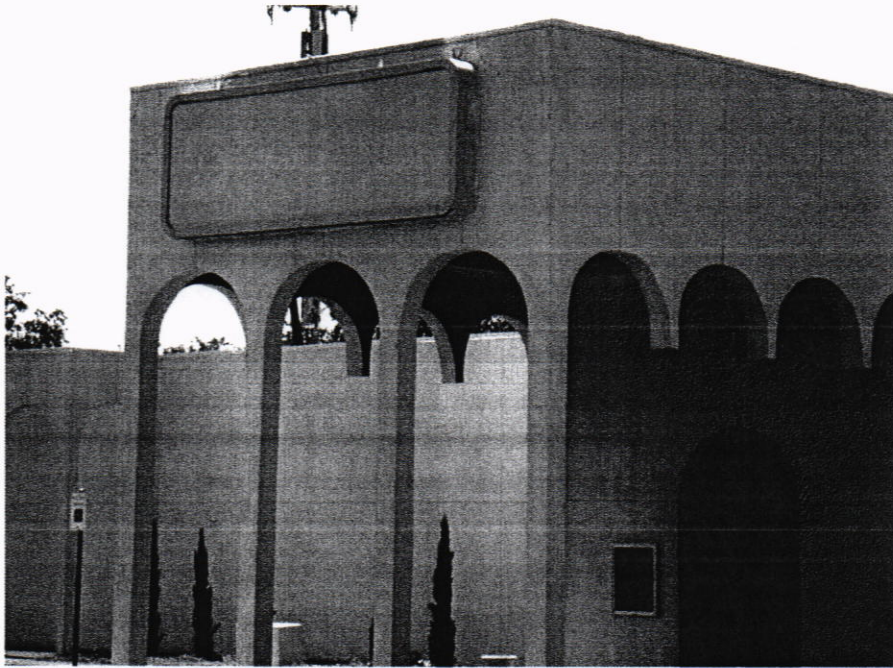


Robert G. Duchouquette, Quad Corners Investments, Ltd.

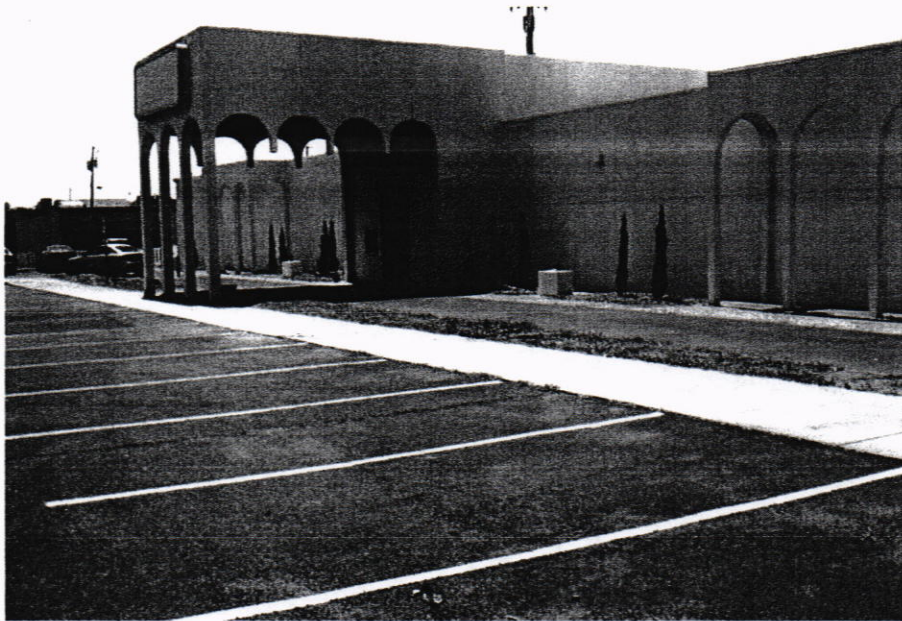


Bertha R. Duchouquette, Quad Corners Investments, Ltd.

Photographs of Site

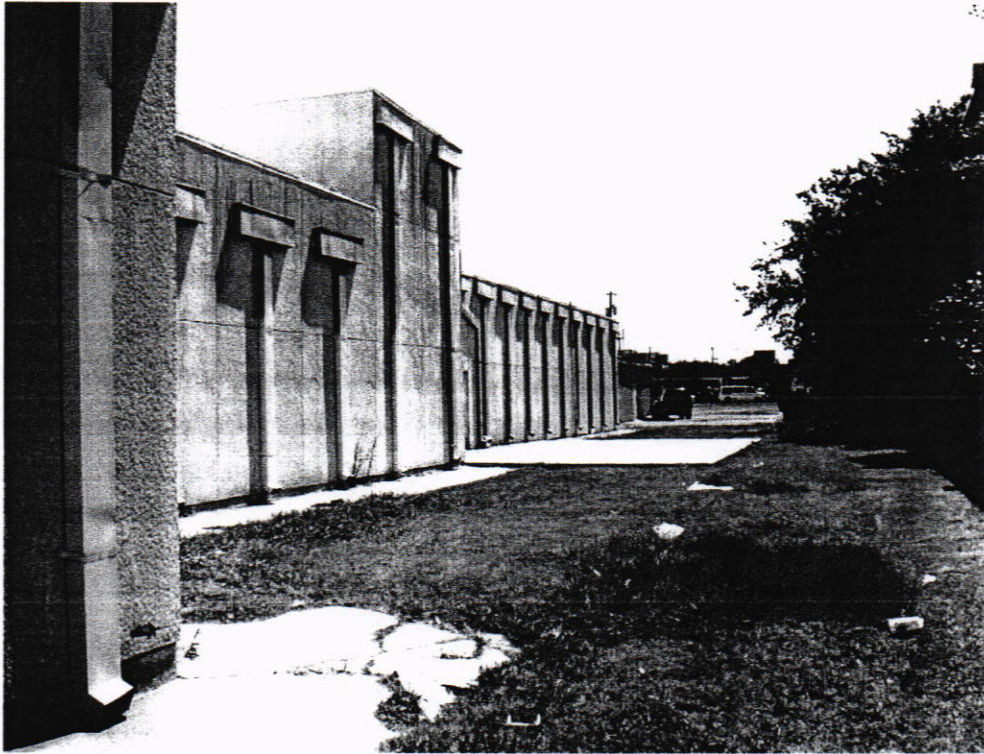


Front Entry to Building and existing Wall Sign



Existing parking lot along Beltline Road – Proposed trees in parking median

Photos



Rear of building –future Dumpster Screen location and Rear Patio



Beltline Frontage –Existing Monument and Wall Sign –Proposed sidewalk and landscaping